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### MEMO ENDORSED

June 14, 2011

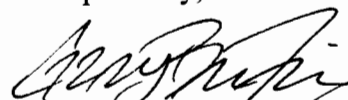
In re AOL Time Warner ERISA Litigation  
No. 02 CV 8853

Dear Judge McMahon:

I am counsel to defendants in the above-captioned matter, and I write in response to an inquiry from Your Honor's Chambers regarding the status of the litigation. I have consulted with counsel for plaintiffs, and all parties agree that there no longer remain any outstanding issues for decision in the case, and that the matter may be closed. For the Court's reference, a final judgment was entered by Judge Kram on September 27, 2006, and the last outstanding collateral matter was resolved by an Opinion and Order entered by Judge Kram on April 9, 2008.

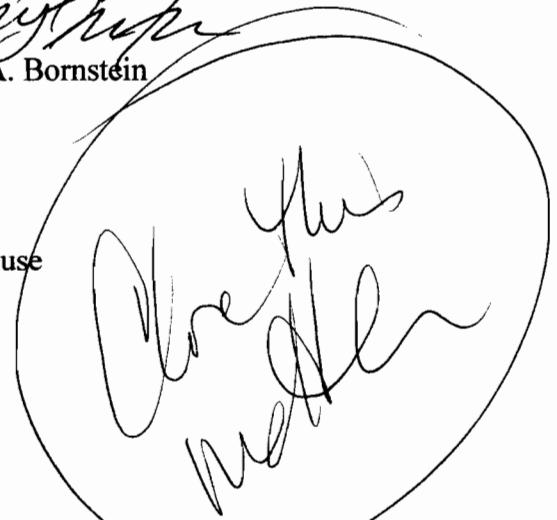

I am available at the Court's convenience to answer any questions.

Respectfully,

  
Gary A. Bornstein

Hon. Colleen McMahon  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

BY FIRST-CLASS MAIL

  
  
6/16/11

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